(1) (B) 2.5.2007 Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 691 /2005

PETITIONER

Dr. (Smt.) Gulshan Agrawal,
Wd./o. Late Dr. Anand Agrawal,
Aged about 54 years,
R/o. Sagar Nursing Home,
Old Bus Stand, Korba (C.G.)

V E R S U S

RESPONDENTS

1. State of Chhattisgarh,
Through Secretary,
Department of Home,
Mantralaya, D.K.S. Bhawan,
Raipur (C.G.)

2. Director General of Police,
Police Headquarter,
Raipur (C.G.)

3. Inspector General of Police,
Bilaspur Range, Bilaspur (C.G.)

4. Superintendent of Police,
Korba (C.G.)

5. Station House Officer,
Police Station Kotwali,
Korba (C.G.)

P.R. No. 687/05
Presented by Sri A. Farhan
dated 18-8-2005

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS, CERTIORARI, PROHIBITION AND OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS:

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ...WP.No.691/05... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

3-3-2005

Shri Ashish Shrivastava, counsel for the petitioner.

Shri Sumesh Bajaj, Deputy Government Advocate for the State/ respondents.

Heard both the counsel.

The main grievance raised by the petitioner in this writ petition is that the petitioner lodged a report on 22-10-2002 in the Police Station Kotwali, Korba against one Ajay Kumar Budhia and others for the commission of the offence punishable under Sections 420, 468, 294 and 506 of the I.P.C. and the case was registered at Crime No.732/02. After the registration of the case, nothing is heard about the progress and result of the investigation. Similarly, the petitioner lodged another report on 8-6-2004 against Vijay Budhia, Bodh Singh Thakur and Bose of the same Budhia Auto, Korba at P.S. Kotwali, Korba for the commission of the offence punishable under Section 325 read with Section 34 of the I.P.C. and the case was registered at Crime No.526/2004. Even after the registration of the crime, the police is not taking any action, arresting the culprits and they are not reporting about the investigation.

The alternative remedy is already available to the petitioner herein. She can move the concerned Judicial Magistrate having

XI-HC-22

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आदेश पत्रक

मामला क्रमांक Cr. 691/05 **सन्** **200**

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

jurisdiction over the area in accordance with the provisions of Cr.P.C.. She can file the complaint before the concerned Magistrate who can call for the report from the concerned Police Station about the investigation. If the petitioner is not satisfied with the investigation, then the Magistrate after examining her witnesses can proceed with the matter in accordance with the provisions of Cr.P.C..

Since alternative remedy is already available to the petitioner, I do not find any substance in this petition for invoking extraordinary jurisdiction of this Court.

With the direction aforesaid, the petition stands disposed of.

Consequently, I.A. No.1412/2005 also stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C.BHADOO
Judge

Barve

(पीछे देखिये)

18.3.05 23.3.05 24.4.05